

EXTENSIONS OF REMARKS

ELIZABETH ALVIDREZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Elizabeth Alvidrez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Elizabeth Alvidrez is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Elizabeth Alvidrez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Elizabeth Alvidrez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. WESTMORELAND. Mr. Speaker, on rollcall No. 90 I had to depart DC to fly to Georgia in order to attend the funeral for a longtime friend. Had I been present, I would have voted "yea."

DOMINIC SANCHEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dominic Sanchez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Dominic Sanchez is a 12th grader at Arvada West High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Dominic Sanchez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Dominic Sanchez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the

same dedication and character in all of his future accomplishments.

ON THE 49TH ANNIVERSARY OF "BLOODY SUNDAY" AND THE IMPORTANCE AND CONTINUING NEED FOR AN EFFECTIVE VOTING RIGHTS ACT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Ms. JACKSON LEE. Mr. Speaker, yesterday marked the 49th anniversary of "Bloody Sunday." On Sunday, March 7, 1965, more than 600 civil rights demonstrators, including our beloved colleague, Congressman JOHN LEWIS of Georgia, were brutally attacked by state and local police at the Edmund Pettus Bridge as they marched from Selma to Montgomery in support of the right to vote.

"Bloody Sunday" was a watershed moment in the history of Civil Rights Movement and of our country. It crystallized for the nation the necessity of enacting a strong and effective federal law protecting the right to vote of every American.

Nearly a half century later, I rise today to address the House on the continuing need for an effective Voting Rights Act. As a senior member of the House Judiciary Committee, I strongly supported and worked for the successful reauthorization in 2006 of the Voting Rights Act of 1965, which proudly bears the name: Fannie Lou Hamer, Rosa Parks, Coretta Scott King, Cesar E. Chavez, Barbara C. Jordan, William C. Velasquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006.

Mr. Speaker, in signing the Voting Rights Act on August 6, 1965, President Lyndon Johnson said:

The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.

In answering the call of history and justice, great legislator-statesmen strongly supported the Voting Rights Act of 1965 and worked across the aisle and with President Johnson to ensure its passage. Men like Senate Majority Leader Mike Mansfield (D-Montana), Senate Minority Leader Everett McKinley Dirksen (R-Illinois), Speaker John McCormack (D-Massachusetts), House Majority Leader Hale Boggs (D-Louisiana), House Judiciary Committee Chairman Emanuel Celler (D-New York), and House Minority Leader and former President Gerald Ford (R-Michigan).

Mr. Speaker, since its passage in 1965, and through four reauthorizations signed by Republican presidents (1970, 1975, 1982, 2006), more Americans, especially those in the communities we represent, have been empowered by the Voting Rights Act than any other single piece of legislation.

Section 5 of the Act requires covered jurisdictions to submit proposed changes to any voting law or procedure to the Department of Justice or the U.S. District Court in Washington, DC for pre-approval, hence the term "pre-clearance." Under Section 5, the submitting jurisdiction has the burden of proving that the proposed change(s) are not retrogressive, i.e. that they do not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color.

In announcing his support for the 1982 extension of the Voting Rights Act, President Reagan said, "the right to vote is the crown jewel of American liberties." And Section 5 is the "crown jewel" of the Voting Rights Act.

But a terrible blow was dealt to the Voting Rights Act on June 25, 2013, when the Supreme Court handed down the decision in *Shelby County v. Holder*, 570 U.S. 193 (2013), which invalidated Section 4(b), the provision of the law determining which jurisdictions would be subject to Section 5 "pre-clearance."

In 2006, the City of Calera, Alabama, which lies within Shelby County, enacted a discriminatory redistricting plan without complying with Section 5, leading to the loss of the city's sole African-American councilman, Ernest Montgomery. In compliance with Section 5, however, Calera was required to draw a non-discriminatory redistricting plan and conduct another election in which Mr. Montgomery regained his seat.

According to the Supreme Court majority, the reason for striking down Section 4(b) was that "times have changed." Now, the Court was right; times have changed. But what the Court did not fully appreciate is that the positive changes it cited are due almost entirely to the existence and vigorous enforcement of the Voting Rights Act. And that is why the Voting Rights Act is still needed.

Let me put it this way: in the same way that the vaccine invented by Dr. Jonas Salk in 1953 eradicated the crippling effects but did not eliminate the cause of polio, the Voting Rights Act succeeded in stymying the practices that resulted in the wholesale disenfranchisement of African Americans and language minorities. But it did not eliminate them entirely. The Voting Rights Act is needed as much today to prevent another epidemic of voting disenfranchisement as Dr. Salk's vaccine is still needed to prevent another polio epidemic.

Many of us remember what it was like before the Voting Rights Act but for those too young to have lived through it, let us take a stroll down memory lane. Before the Voting Rights Act was passed in 1965, the right to vote did not exist in practice for most African Americans. And until 1975, most American citizens who were not proficient in English faced significant obstacles to voting, because they could not understand the ballot.

Even though the Indian Citizenship Act gave Native Americans the right to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Asian Americans and Asian immigrants also suffered systematic exclusion from the political process.

In 1964, the year before the Voting Rights Act became law, there were approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South. Because of the Voting Rights Act, there are now more than 9,100 black elected officials, including 43 members of Congress, the largest number ever.

The Voting Rights Act opened the political process for many of the approximately 6,000 Latino public officials that have been elected and appointed nationwide, including 263 at the state or federal level, 27 of whom serve in Congress. Native Americans, Asians and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

Aided by Section 5, the Voting Rights Act was successful in preventing the states with the worst and most egregious records of voter suppression and intimidation from disenfranchising minority voters. So successful was the Voting Rights Act that the Supreme Court apparently saw no harm in invalidating the provision that subjected those states to the federal supervision responsible for the success it celebrated.

Now to be sure, the Supreme Court did not invalidate the preclearance provisions of Section 5; it only invalidated Section 4(b). But that is like leaving the car undamaged but destroying the key that unlocks the doors and starts the engine.

According to the Court, the coverage formula in Section 4(b) had to be struck down because the data upon which it was based—registration rates and turn-out gaps—was too old and outdated. Like many others, I disagreed. I thought the Court got it wrong and said so in an op-ed published in the *Forward Times of Houston*, in which I wrote:

The Court majority confuses the symptom with the cause. Congress' focus was not on voter registration or turnout rates. Congress instead was focused on eliminating the causes or at least eradicating the effects of racial discrimination in voting in states that had a "unique history of problems with racial discrimination in voting." *Shelby*, 570

U.S. 193, (Ginsburg, J., dissenting), slip op. at 19 (June 25, 2013).

I believe Justice Ruth Bader Ginsburg was exactly right when she wrote in her dissent that the question in 2006 was not which states were to be covered by Section 4(b) and thus subject to pre-clearance as was the case in 1965. Rather the question before Congress in 2006:

Was there still a sufficient basis to support continued application of the preclearance remedy in each of those already-identified places?

There were many commentators, pundits, and opponents of the Voting Rights Act who viewed the Court's *Shelby* decision as the death knell of the Act.

But they underestimated the resolve of men and women of good will across the country who revere the Voting Rights Act. They underestimated the determination of my colleagues in the House and Senate, on both sides of the aisle.

They discounted the commitment of persons like: Republican JAMES SENSENBRENNER and Democrat JOHN CONYERS, each a former Chairman of the House Judiciary Committee; Congressman JOHN LEWIS, who shed his blood on the Edmund Pettus Bridge in Selma, Alabama on "Bloody Sunday"; Northern members of Congress like Democratic Whip STENY HOYER, Republicans STEVE CHABOT of Ohio and SEAN DUFFY of Wisconsin; and Southern members like SPENCER BACHUS of Alabama, ROBERT "BOBBY" SCOTT of Virginia and SHEILA JACKSON LEE of Texas.

These members, joined by several of their colleagues, refused to let the Voting Rights Act die. They recognized and understood that for all the progress this nation has made in becoming a more inclusive, equitable, and pluralistic society, it is the Voting Rights Act "that has brought us thus far along the way." And so we went to work. You know the saying: "Don't cry about it, be about it." And so we were.

Led by Congressman JIM CLYBURN of South Carolina, I was honored to be a member of the working group tasked with sharing ideas, making recommendations, and crafting and drafting the legislation that would repair the damage done to the Voting Rights Act by the

Supreme Court decision and capable of winning majorities in the House and Senate and the signature of the President. After months of hard work, consultation, negotiation, and collaboration, we were able to produce a bill, H.R. 3899, "Voting Rights Amendments Act of 2014," that can achieve these goals.

To be sure, this legislation is not perfect, no bill ever is. But—and this is important—the bill represents an important step forward because it is responsive to the concern expressed by the Supreme Court and establishes a new coverage formula that is carefully tailored but sufficiently potent to protect the voting rights of all Americans.

First, H.R. 3899 specifies a new coverage formula that is based on current problems in voting and therefore directly responds to the Court's concern that the previous formula was outdated. The importance of this feature is hard to overestimate. Legislators and litigators understand that the likelihood of the Court upholding an amended statute that fails to correct the provision previously found to be defective is very low indeed.

H.R. 3899 replaces the old "static" coverage formula with a new dynamic coverage formula, or "rolling trigger," which works as follows:

1. for states, it requires at least one finding of discrimination at the state level and at least four adverse findings by its sub-jurisdictions within the previous 15 years;

2. for political subdivisions, it requires at least three adverse findings within the previous 15 years; but

3. political subdivisions with "persistent and extremely low minority voter turnout" can also be covered if they have a single adverse finding of discrimination.

The "rolling trigger" mechanism effectively gives the legislation nationwide reach because any state and any jurisdiction in any state potentially is subject to being covered if the requisite number of violations are found to have been committed.

Prior to *Shelby County v. Holder*, the Voting Rights Act covered 16 states in whole or in part, including most of the states in the Deep South. Those states originally covered in whole were:

Original States Covered	Applicable Date	Fed. Register	Date
Alabama	Nov. 1, 1964	30 FR 9897	Aug. 7, 1965
Georgia	Nov. 1, 1964	30 FR 9897	Aug. 7, 1965
Louisiana	Nov. 1, 1964	30 FR 9897	Aug. 7, 1965
Mississippi	Nov. 1, 1964	30 FR 9897	Aug. 7, 1965
South Carolina	Nov. 1, 1964	30 FR 9897	Aug. 7, 1965
Virginia	Nov. 1, 1964	30 FR 9897	Aug. 7, 1965
Arizona	Nov. 1, 1972	40 FR 43746	Sept. 23, 1975
Texas	Nov. 1, 1972	40 FR 43746	Sept. 23, 1975
Alaska	Nov. 1, 1972	40 FR 49422	Oct. 22, 1975

The rolling trigger contained in H.R. 3899, however, does not cover all of these states. To compensate for the fact that fewer jurisdictions are covered, the bill also includes several key provisions that are consistent with the needs created by a narrower Section 5 trigger.

For example, H.R. 3899:

1. Expands judicial "bail-in" authority under Section 3 so that it applies to voting changes that result in discrimination (not just intentional discrimination);

2. Requires nationwide transparency of "late breaking" voting changes; allocation of poll place resources; and changes within the boundaries of voting districts;

3. Clarifies and expands the ability of plaintiffs to seek a preliminary injunction against voting discrimination; and

4. Clarifies and expands the Attorney General's authority to send election observers to protect against voting discrimination.

The right to vote, free from discrimination, is the capstone of full citizenship conferred by the Civil War Amendments. And it is a source of eternal pride to me that in pursuit of extending the full measure of citizenship to all Americans that in 1975, Congresswoman Barbara Jordan, who also represented the historic 18th Congressional District of Texas, introduced, and the Congress adopted, what are now Sections 4(f)(3) and 4(f)(4) of the Voting Rights

Act, which extended the protections of Section 4

(a) and Section 5 to language minorities. Language minorities in emerging communities have distinct and particular interests that ought to be considered.

"Emerging communities" are those located in states such as Alabama, Arkansas, Tennessee, and South Carolina that historically were not home to large numbers of Hispanics or Asian-Pacific Americans but have in recent years experienced tremendous population growth which is expected to accelerate. The concern is that as these Hispanic and Asian-Pacific voters in these areas become more numerous in these states and capable of having

a tangible influence on electoral outcomes, some communities may respond by adopting measures that violate principles of fair and equal treatment.

Such measures may include:

1. Changes from single-member to at-large election districts;
2. Changes to jurisdictional boundaries through annexation; or
3. Changes to multilingual voting materials requirements.

I think we can all agree that language minorities and those residing in emerging communities deserve protection from any such retaliatory election changes. The question is how this can best be achieved consistent with the overriding goal of bringing to the floor a bill that can pass both houses of Congress.

Mr. Speaker, the Voting Rights Act of 1965 is no ordinary piece of legislation. For millions of Americans, and many of us in Congress, the Voting Rights Act of 1965 is sacred treasure, earned by the sweat and toil and tears and blood of ordinary Americans who showed the world it was possible to accomplish extraordinary things. In 2006, during the floor debate on the reauthorization of the Voting Rights Act, I said:

With our vote today on H.R. 9, each of us will earn a place in history.

Therefore, the question before the House is whether our vote on the Voting Rights Act will mark this moment in history as a “day of infamy,” in FDR’s immortal words, or will commend us to and through future generations as the great defenders of the right to vote, the most precious of rights because it is preservative of all other rights.

For my part, I stand with Fannie Lou Hamer and Rosa Parks and Coretta Scott King, great Americans who gave all and risked all to help America live up to the promise of its creed.

I will vote to reauthorize the Voting Rights Act for the next 25 years.

I am as committed to the preservation of the Voting Rights Act today as I was then and will not rest until the job is done. As I stated during the historic 2006 debate:

I stand today an heir of the Civil Rights Movement, a beneficiary of the Voting Rights Act. I would be breaking faith with those who risked all and gave all to secure for my generation the right to vote if I did not do all I can to strengthen the Voting Rights Act so that it will forever keep open doors that shut out so many for so long.

This is why I intend to work with my colleagues and others as H.R. 3899 works its way forward and to do all I can to protect the voting rights of all Americans.

DIANA ARANDA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Diana Aranda for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Diana Aranda is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Diana Aranda is exemplary of the type of achieve-

ment that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Diana Aranda for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE 30TH ANNIVERSARY OF THE ALEXANDRIA TRANSIT COMPANY AND DASH BUS SYSTEM

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. MORAN. Mr. Speaker, I rise today in the honoring of the 30th anniversary of the Alexandria Transit Company’s (ATC) and the initiation of the city’s DASH bus system.

Mayor Charles “Chuck” Beatley was the champion and father of DASH, and had a vision over 30 years ago of a bus system that would serve the local transit needs of the community and provide high quality transit service to the residents, workers, and visitors of the City of Alexandria. The ATC Chairman of 22 years, Mr. William “Bill” B. Hurd shared the Mayor’s vision and helped to create the organization that became so successful under his leadership; and who fostered a back-to-basics approach of operating safe and reliable service with clean buses and friendly and courteous drivers.

The DASH transit plays a vital role in the city of Alexandria by providing clean, safe, affordable, and reliable transportation service every day to thousands of commuters, city residents, workers, and visitors. The total ridership over the past 30 years has increased by over 360%, with a total annual ridership of over four million, an average of 14,500 passengers riding DASH every weekday and 12,000 passengers riding on the weekends; and expanded service from 582,000 miles in the first full year of service to over 1.6 million miles today.

I am pleased to say that DASH contributes to the quality of life and preserving the livability of Alexandria by mitigating traffic impacts, improving circulation and mobility throughout the city, and providing easier access to local businesses, retail and employment centers, residential developments, and to the regional Metrorail and the Virginia Railway Express commuter rail systems. Over the past four years, DASH has been purchasing environmentally friendly and low-floor hybrid electric buses and trolleys, which have provided great benefits including: reduced air pollutant emissions, reduced fuel consumption, increased transmission and brake life, and reduced engine noise, while improving accessibility and dwell times, and providing a smoother ride overall.

Metro Magazine named DASH one of the “10 Great Transit Systems to Work For,” and the Alexandria Commission for Women recognized the DASH General Manager, Sandy Modell, with the Salute to Women Leadership in Business and Career Development Award.

On behalf of the residents of the 8th Congressional District of Virginia, I congratulate the entire DASH bus system, its employees, and the Board of Directors, for their efforts and significant contributions to the Alexandria community to improve mobility and accessibility throughout the city, and for their achievements that have been recognized both nationally and by the Commonwealth of Virginia, in providing the highest quality of transit service to Alexandria residents, workers, and visitors, and in helping to make Alexandria a truly Livable, Green, and Prospering City.

DANIA HERNANDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dania Hernandez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Dania Hernandez is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Dania Hernandez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Dania Hernandez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. BARBER. Mr. Speaker, due to a meeting with members of the House Armed Services Committee, I missed one recorded vote on March 6. I would like to indicate at this point how I would have voted had I been present for that vote.

On rollcall No. 110, agreeing to the amendment offered by Mr. NADLER of New York to exempt from the bill any construction project for a nuclear facility planned in an area designated as an earthquake fault zone, I would have voted “aye.”

EDGAR HERNANDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 2014

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Edgar Hernandez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Edgar Hernandez is a 12th grader at Jefferson High